Annual Report
of the
Saskatchewan
Conflict of Interest Commissioner

2006

Saskatchewan
Conflict of Interest
Commissioner

SASKATCHEWAN

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October 26, 2007.

The Honourable Myron Kowalsky,
Speaker of the Legislative Assembly
of Saskatchewan,
Room 129 Legislative Building,
Regina, Saskatchewan.
S4S 0B3

Dear Mister Speaker:

I have the pleasure and honour to present to you the Annual Report of the Office of the Conflict of Interest Commissioner for the period of January 1, 2006 to December 31, 2006.

This Report is submitted pursuant to Section 25 of *The Members' Conflict of Interest Act*, Chapter M-11.11, Statutes of Saskatchewan, 1993.

Yours respectfully,

G. L. GERRAND, Q.C.
Commissioner

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ANNUAL REPORT

To the Legislative Assembly of Saskatchewan
For the Year Ending 2006

This is the sixth Annual Report prepared by me as Conflict of Interest Commissioner pursuant to Section 25 of *The Members' Conflict of Interest Act* ("the *Act*"). It is my honour to submit this Report for the year 2006 to the Speaker as mandated by the *Act*.

I am pleased to advise that for the calendar year covered by this Report no Member of the Legislature was in breach of any of the provisions of the *Act*. To my knowledge, each of the fifty-eight Members carried out their respective obligations detailed in the *Act* and performed these functions in a timely manner.

Disclosure by Members

Members are obliged, pursuant to the provisions of the *Act* to prepare annually and file with me a Disclosure Statement in the form prescribed by the regulations passed under the *Act*. This form of Disclosure Statement must be prepared and filed with me within 90 days of being elected to the Legislature and subsequently on or before March 31 of each calendar year.

The Disclosure Statement is confidential and intended for my eyes only. The Disclosure Statement must set forth:

- details of the assets, liabilities and financial interests of the Member, of the Member's family and any private companies that are controlled by the Member or the Member's family.

- details of the income of the Member, of the Member's family and of any private companies that are controlled by the Member or Member's family together with sources of that income.

- a statement of any directorships or offices held by the Member or any of the Member's family during the 12 months preceding the date of the Statement.

- a statement of any business managed or operated by the Member or any of the Member's family in the 12 months preceding the date of the Statement.

- a statement of any Government contract in which the Member or any of the Member's family is participating.

- any further information that I may direct.

The legislative scheme under the *Act* requires broad financial and business disclosure to me by persons elected to our Legislative Assembly for a variety of reasons. Among these reasons is providing to me all information respecting the Member's affairs that might be relevant to my assessment of any potential conflict of interest issues under the *Act*.

In January of 2006, I sought and obtained an invitation to attend a meeting of the Caucus of the governing party and the opposition party. On this occasion, I reminded

Members of both Caucuses of their obligations respecting timely preparation and filing of Disclosure Declarations (and obligation to subsequently consult with me).

I am pleased to report that all Members prepared and filed with me on a timely basis the required Disclosure Statement during the year 2006. In previous years, a relatively limited number of Members did not comply with the time requirements for the filing of their Disclosure Statement, although all ultimately complied with the filing requirement.

Consultation by each Member with the Commissioner

After filing the required Disclosure Statement with me, each Member and the Member's spouse, if available, is required to consult with me for the purpose of insuring that the Disclosure Statement has been properly completed and to obtain any advice and direction on the Member's obligations under the *Act*.

Over the period of February to June, 2006, all 58 Members arranged for and consulted with me on a timely basis as required by the *Act*

Public Disclosure Statements

Following the filing by each Member of his or her required Disclosure Statement and following the meeting of consultation, I am obliged to prepare and file with the Clerk of the Legislative Assembly, a Public Disclosure Statement as detailed in the *Act*. Public Disclosure Statements for each of the Members of the Legislature were duly prepared and filed, within the time periods required by the *Act,* with the Clerk of the Legislative Assembly for public inspection.

Advice and Assistance to Members

Members are encouraged to seek my advice and guidance respecting any of their

obligations under the *Act*. The advice is provided in writing and is confidential, unless otherwise agreed to by the Member.

During the calendar year 2006, several Members sought and obtained my advice in a variety of areas related to conflict of interest, entitlement to gifts or other benefits and specific conduct that might be viewed as advancing the private interest of the particular Member.

National Conference of Conflict of Interest Commissioners (CCOIN)

In mid-September, 2006, I attended the annual meeting of Conflict of Interest Commissioners and Ethics Counsellors convened at Iqaluit, Nunavut.

The Governments of each Province and Territory in Canada together with the House of Commons and Senate of Canada have passed conflict of interest legislation pursuant to which officers of the particular legislative institution are appointed to perform a role similar to the role I carry out as Conflict of Interest Commissioner in Saskatchewan. Although no Federal, Provincial or Territorial legislation is identical to another jurisdiction, the basic principles of promoting the ethical conduct of elected representatives to a parliament or legislature, or appointments to the Senate of Canada are found in each enabling statute.

It is beneficial and instructive for me to meet with others carrying out responsibilities of Conflict of Interest Commissioners and Ethics Advisors for each of the other legislative bodies in Canada. There are hundreds of Canadians who carry out legislative and executive responsibilities similar to the fifty-eight Members of the Saskatchewan Legislative Assembly and I find it helpful to learn at the annual conference how others deal with issues that are common or sometimes unique in this aspect of our democratic process.

- No exemptions were sought or granted by me pursuant to Section 34 of the *Act* in the year 2006.

- No investigations or reports of Member's activities were required during the period of this report.

BUDGET AND EXPENDITURE OF THE OFFICE OF THE COMMISSIONER

The budget for the Office of the Commissioner for the year 2006 was $138,000.00. The sum of $127,880.73 was actually expended in the operation of the office.

EXPRESSION OF APPRECIATION

The carrying out of my responsibilities requires the assistance from time to time of persons in the offices of The Speaker and Clerk of the Legislative Assembly. That assistance is provided promptly and in a cheerful and efficient manner for which I am grateful.

DATED at Regina, Saskatchewan, this 26th day of October, 2007.

G.L. Gerrand, Q.C.
Conflict of Interest Commissioner
for Saskatchewan